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**HAFTERLAW**  
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Counsel for Plaintiff  
JAMES S. TATE, M.D.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JAMES S. TATE, JR., M.D.,

Plaintiff,

vs.

UNIVERSITY MEDICAL CENTER OF  
SOUTHERN NEVADA, et. al.,

Defendants.

Case No.: 2:09-cv-01748-LDG-RJJ

**STIPULATION AND ORDER TO  
ALLOW VIDEOCONFERENCE  
TESTIMONY OF HUGH BUTTS, MD, AT  
TRIAL**

COMES NOW, Plaintiff, by and through counsel, JACOB HAFTER, ESQ., of HAFTERLAW, and Defendants by and through counsel LISA ZASTROW, ESQ., and MATTHEW T. DUSHOFF, ESQ., of Kolesar & Leatham, with a stipulation that Plaintiff's witness, HUGH BUTTS, M.D., be permitted to testify at trial via video-conference. This Stipulation is made based on the understanding that Dr. Butts has been recently diagnosed with cancer and is currently undergoing intensive treatment for this disease. As a result of the diagnosis and treatment, Dr. Butts has had to close his medical practice and alter his activities of daily living in such a manner that travel from his home in New York to Las Vegas for trial will be unduly burdensome on his health.

Plaintiff's counsel will work with the technical staff of the Court to facilitate the videoconference testimony. Dr. Butts will be permitted to testify via videoconference provided

that he does so from the offices of a court reporting service in New York which has  
videoconference capabilities compatible with the Court's technological capabilities, and has a  
notary public in the room from which he is testifying who swears his testimony in under oath.

The parties state that this stipulation is made in good faith and not for purposes of  
delay.

DATED this 20<sup>th</sup> day of August, 2015.

DATED this 20<sup>th</sup> day of August, 2015.

**HAFTERLAW**

**KOLESAR & LEATHAM**

By: /s/ Jacob L. Hafter

By: /s/ Lisa J. Zastrow

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*Attorneys for Defendants*

**ORDER**

IT IS SO ORDERED:

DATED: 21 August 2015

  
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U.S. DISTRICT JUDGE  
LLOYD D. GEORGE